

REMARKS/ARGUMENTS

This is in response to the Office Action mailed July 5, 2005. Claims 1-43 are pending. Claims 15, 30, and 43 have been amended. Accordingly, claims 1-43 remain pending in the present application.

Although not expressly stated in the Office Action, it appears that the Examiner has maintained the indication of allowance for claims 9, 24, and 38 if rewritten in independent form, since these claims were not rejected.

Claims 15, 30 and 43 have been amended to correct a typographical error. As such, the amendment bears no more than a tangential relationship to any equivalent of the amended subject matter, and those seeking to interpret the claims should not limit them only to their literal scopes. Accordingly, it is submitted no new matter has been entered.

The Examiner rejected claims number 1-5, 7-8, 10-14, 16-20, 22-23, 25-29, 31-34, 36-37, and 39-42 under 35 USC §103(a) as being obvious over Lipkin (U.S. patent 6,721,747) in view of the Parulski et al. (US006629104B1).

The present invention provides a method and system for allowing a user to define and use custom metadata. This is accomplished by providing an online metadata management system from which users may create custom vocabularies using a form-driven interface without needing to understand the underlying semantics and syntax of the schema language, such as the RDF schema definition language specified by the W3C.

In the Office Action, the Examiner admits that "Lipkin fails to teach 'metadata vocabularies'". The Examiner, however, cited Parulski for teaching metadata

vocabularies. Applicants respectfully disagree.

Parulski is directed to a method for adding emotional or aesthetic based metadata to a collection of images by configuring a database of preassigned metadata labels useful for classifying future images (col. 1, lines 60-64). It is respectfully submitted, however, that like Lipkin, Parulski fails to disclose a plurality of “metadata vocabularies.” Therefore, a combination of Lipkin and Parulski fail to teach “a method for allowing a user to *define* and use custom metadata,” as recited in claims 1, 16 and 31.

Parulski fails to teach or suggest “providing... a plurality of metadata vocabularies,” as recited in claims 1, 16, and 31. The Examiner cited col. 2 lines 55-58; col. 3, lines 51-11 and 15-25 of Parulski for teaching metadata vocabularies. However, these passages describe that the user is prompted to create “labels” for their pictures prior to image capture, the labels are stored in a metadata database, and a selected label may be added to the metadata for all the selected images. As was the case with Lipkin, Parulski's labels are metadata values that are stored in standard image metadata fields, and do not define a metadata vocabulary/schema that specifies structure and rules for the metadata. Thus, Parulski's labels fail to teach or suggest “metadata vocabularies” that comprise a plurality of properties and constraints on values the properties may have, as described in Applicant's Specification and as explicitly recited in claim 31.

In contrast, Parulski explicitly describes their labels as values that are stored in metadata fields denoted by metadata label identifiers, i.e., **actual metadata**, not schemas or vocabularies that define the metadata. For example, Col. 6, lines 9-28 of Parulski describes the process as follows:

The emotional or aesthetic based metadata is derived from a user answering queries about her family, friends, and her aesthetic judgment of the typical images that she captures. Consequently, the user is able to preemptively categorize "how much they like a picture" by using emotion or aesthetic based metadata labels such as "favorite photos", "best photos", "keep photos", "important moments", or "funny photos." These metadata labels are then stored within the captured image files and/or in a database that may be separate from the image files, but still references the appropriate categorized images. **Labels assigned to each digital image file may be stored as ASCII text strings or as other types of metadata label identifiers, such as digital code values assigned to a particular metadata label.** For example, a user's "best" pictures may be stored with the ASCII text "BEST" for "user image value", or may be **stored with the digital value "10"** (using a 10 point scale where one is lowest and 10 is highest) as the metadata label identifier **in the "user image value" field.** (Emphasis added).

As further evidence that Parulski teaches only the storage at label values, Parulski describes storing the label values in an "image file defined in the "Digital still Camera Image File Format (Exif). (Parulski also describes storing the labels in a database separate from the images, but presumably in the same format). Parulski describes that the Exif format includes an Exif application segment that stores particular image metadata, for example, the date and time the picture was captured, the lens/fnumber and other camera settings. It can also include user-selected custom metadata labels (col. 4, lines 52-61).

This use of the Exif standard is no different than that described in Applicants' BACKGROUND, which states as follows:

Digital image metadata has shared the same restrictions as metadata in general. It has been limited to standard metadata as defined by various versions of the Exif standard... This metadata is restricted in that users cannot define new metadata fields or are limited to a fixed number of "user-defined" fields. The ability to provide optional "user-defined" metadata may be provided, but is limited because metadata support usually does not extend much beyond that defined by the Exif image file format standard (page 1, lines 12-22).

Therefore, although Parulski allows a user to define custom label values, Parulski fails to teach or suggest the ability for a user to either extend the Exif image metadata vocabulary or to define a custom metadata vocabulary in which the labels may be stored. Thus, Lipkin in view of Parulski, fails to teach or suggest a mechanism for supporting the storage, display, management, or use of this "user defined" metadata. The present invention provides a solution to this problem by providing an online metadata management system from which users may create custom metadata vocabularies using a form-driven interface without needing to understand the underlying semantics and syntax of the schema language. Nowhere does the combination of Lipkin and Parulski describe a system for allowing a user to define new, custom metadata vocabularies.

The Examiner rejected claims 6, 21 and 35 under 35 USC §103(a) as being unpatentable over Lipkin in view of Parulski, and in view of Halstead et al. The Examiner rejected claims 15, 30 and 43 under 35 USC §103(a) as being unpatentable over Lipkin in view of Parulski, and in view of Chau et al.

A secondary reference stands or falls with the primary reference. Because Lipkin in view of Parulski fail to teach or suggest a method and system for allowing a user to create new metadata vocabularies, and for storing those new vocabularies in the metadata library, a combination of Lipkin and Parulski with Halstead or Chau also fails to teach or suggest the claimed invention. Accordingly, claims 6, 15, 21, 30, and 35 and 43 are patentable over the references for at least the same reasons as claims 1, 16, and 31.

The arguments above apply with full force and effect to the remaining dependent claims because they are based on allowable independent claims. Therefore, the

dependent claims are allowable for at least the same reasons as the independent claims.

In view of the foregoing, it is submitted that claims 1-43 are allowable over the cited references. Accordingly, Applicants respectfully request reconsideration and passage to issue of claims 1-43 as now presented.

Applicants' attorney believes this application in condition for allowance. Should any unresolved issues remain, Examiner is invited to call Applicants' attorney at the telephone number indicated below.

Respectfully submitted,
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Date

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